IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WP(C).No. 525 of 2007(K)

PETITIONER:

V.S.VILASINI AMMAL, AGED 56 YEARS,
W/O. K.G. GOPALAKRISHNA PILLAI,
KEEZHOTTU HOUSE, KALANJOOR MURI,
KALANJOOR VILLAGE, PATHANAMTHITTA DISTRICT.

BY ADV. SRI. K.SHAJ
SRI.B.BALRAJ
SRI.SAJJU.S

RESPONDENTS:

KALANJOOR GRAMA PANCHAYAT,
REP. BY ITS SECRETARY.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 525 of 2007

Dated this 5th day of January, 2007

JUDGMENT

The grievance of the petitioner is that though detailed reply (Ext.P5) was submitted to Ext.P3 shaw cause notice, the respondent Panchayat has not considered Ext.P5 through the proper perspective. After receiving Ext.P5, what the Panchayat did was to direct somebody to come over to the premises of the petitioner and orally direct the petitioner to close down the premises. In view of the above allegation and the grounds raised in the writ petition, the writ petition itself will stand disposed of, without issuing notice to the respondent, in the following terms:-

i). The respondent Panchayat will take up Exts.P3 and P5 together hear the petitioner and take a correct decision on the same, in the light of the various grounds raised in the writ petition and the submissions to be made by the petitioner at the time of hearing. Decision as directed above will be taken by the Panchayat at its earliest and at any rate within three weeks of

receiving a copy of this judgment. Once decision is taken, the same will be communicated to the petitioner so as to enable the petitioner to impugn the decision, if the petitioner is aggrieved.

ii). Till such time as the Panchayat takes a decision as directed above, coercive steps will not be taken for closing down the Hollow bricks unit of the petitioner.

PIUS C.KURIAKOSE
Judge

dpk